

**MINUTES OF THE MEETING OF THE MADISON COUNTY  
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON  
THURSDAY, THE 8<sup>th</sup> DAY OF JANUARY, 2026 AT 9:00 A.M. AT THE  
MADISON COUNTY COMPLEX BUILDING**

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**BE IT REMEMBERED** that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 8th day of January, 2026, at 9:00 a.m. in the Madison County Complex Building.

Present:       Dr. Keith Rouser  
                  Rev. Henry Brown  
                  Mandy Sumerall  
                  Amanda Myers  
                  Jean McCarty

Scott Weeks, Planning and Zoning Administrator

The meeting was opened with prayer by Commissioner Brown, and all present participated in pledging allegiance to our flag, led by Chairman Rouser.

There first came on for consideration the minutes of the December 11, 2025, meeting of the Commission. Upon motion by Commissioner Sumerall, seconded by Commissioner Brown, with all voting “aye,” the December 11, 2025, minutes of the Planning and Zoning Commission were approved.

There next came on the need to open the meeting for public hearing of certain matters. Upon motion by Commissioner Sumerall, seconded by Commissioner Brown, with all voting “aye,” the public hearing was so opened.

There next came on for consideration the Amended Application of MCEDA to re-zone certain property from its current designation of (A-1) Agricultural District to (I-2) Heavy Industrial District and for Variance to Maximum Building Height in (I-2) Heavy Industrial District. The subject property is located on Calhoun Station and Old Jackson Road, and is in Supervisor District 4.

Skip Jernigan appeared on behalf of the Applicant, and advised that MCEDA is seeking to re-zone +/-350 acres on Nissan Parkway and Highway 22 to an (I-2) Heavy Industrial District as set forth in their application, and as presented at the December 2025 meeting. Mr. Jernigan stated that at the last meeting, the Commission determined it wise that the Applicant meet with those in opposition to determine address their objections, and to seek possible resolution. Mr. Jernigan advised that the purpose of the re-zoning of the property is due to MCEDA’s need for additional land for future economic development in the area. Mr. Jernigan advised that MCEDA had met with those in opposition, and unfortunately, no resolution or agreement was reached. Mr. Jernigan argued that MCEDA had met all of the legal requirements for re-zoning of the property, and presented evidence of same at the December 2025 meeting. Mr. Jernigan argued that those in

opposition used to live in a quiet, rural area of Madison County, but that the area had changed significantly and is continuing to change daily. Mr. Jernigan pointed to the development of Calhoun Station Parkway that adjoins the Subject Property, Nissan Parkway, and all of the industrial development directly across Highway 22 from the Subject Property. Mr. Jernigan argued that the Subject Property is a perfect piece of property for industrial development for the benefit of all citizens of Madison County, and the recent industrial development in the immediate area of the Subject Property, and revenue generated due to MCEDA's efforts will prevent any tax increase for the citizens of Madison County for years to come.

Mr. Jernigan asked the Commission for a favorable vote on the application as MCEDA has met all of the legal requirements for re-zoning, and that the landowner is entitled to use the Subject Property for its highest and best use, and is entitled to have the Subject Property re-zoned.

Upon question from Chairman Rouser, Mr. Jernigan responded that the proposed buffer between the Subject Property and the residential area to the south and east of the Subject Property would be 75 yards, and that MCEDA had proposed not only a vegetative buffer, but also an earthen berm between the Subject Property and the residential area to the south and east of the Subject Property. However, those in opposition had not agreed to either.

Deverio Manning of 115 Hill Road appeared on behalf of those in opposition and advised that their purpose is very simple, and that is to oppose the Amended Application. Mr. Manning advised that their objective clear, and that is to inform the Commission about the potential for detriment to their community if the Amended Application is recommended for approval. Mr. Manning gave the Commission a cumulative document to support the positions of those in opposition. Such document is attached to these minutes as **Exhibit "A."**

Nancy Pate of 122 Brown Drive appeared in opposition and reminded the Commission of the criteria for rezoning. Ms. Pate argued that there was no mistake in the original zoning, and that the area had been agricultural for as long as she could remember. Ms. Pate argued that the character of the neighborhood had not changed to the extent of being heavy industry. Ms. Pate acknowledged the commercial uses of the nearby hospital, nursing home, and convenience store, but argued that none of those uses are adjacent to the properties of those in opposition. Ms. Pate further argued that there is no public need for heavy industrial in the area, and that there are areas to the north of the Subject Property that are already zoned heavy industrial, and are available for purchase.

Ms. Pate further argued against MCEDA's application for variance. Ms. Pate argued that if a building is built at maximum height, then it will affect her property. Ms. Pate further argued that MCEDA does not even know what type of industry may be coming, and that those in opposition cannot play the "wait and see game." Ms. Pate reminded the Commission of the criteria for a variance, and argued that there is no demonstrable hardship because the Subject Property is flat. Ms. Pate further argued that those in opposition did not know what type of fumes may be generated from industry. Ms. Pate argued that there was no negotiations in the meeting with MCEDA and nothing was in writing. Ms. Pate argued against the building height being based on site plan. Ms. Pate further argued that there would not be any vegetation for the buffer once the land is cleared. Ms. Pate further argued that economic hardship cannot be a factor.

In response to question from Chairman Rouser, Ms. Pate stated that MCEDA was discussing a vegetative buffer, but that the property is currently cleared except for some 50-60' pine trees with wild grass growing underneath. Ms. Pate further advised that MCEDA had offered to install a berm to alleviate any concerns over noise, but that there was nothing in writing. Ms. Pate further argued that the traffic in the area is already terrible, and that Calhoun Station Parkway only brings undue traffic to the City of Madison. Ms. Pate argued that Calhoun Station Parkway is not a thoroughfare, but it only links one city to another.

In response to question from Commissioner Myers as to what would make those in opposition comfortable with approval, several voices from the crowd said, "Nothing," and Ms. Pate said that there is not much that could make them comfortable with approval because it is in such close proximity to a residential neighborhood, and that she did not believe there was anything MCEDA could do to make those in opposition comfortable with approval, and that the consideration to be made would be that MCEDA purchase available property to the north of Amazon that has been approved for heavy industrial.

Reverend Manning reappeared and stated that those in opposition are not opposed to growth and economic gain in Madison County, but that they are against their way of life not being taken into consideration. Reverend Manning recognized the Commission's obligation to balance making certain to protect the rights of citizens while also driving change and moving the County forward.

Reverend Manning argued against the assertion that there is no more land available for Amazon, and that the Amazon property is not in question. Reverend Manning also argued that there is property available all along Virillia Road that is already zoned as heavy industrial.

Reverend Manning further argued that there is no guarantee as to how long plants and trees on any type of buffer would take to have any effect on noise.

Reverend Manning further argued that the restrictive covenants only pertain to those that aren't close to residential. Reverend Manning further cited to an article about particulates and airborne matters from cookie and sweets manufacturers that may pose a risk to those on adjacent properties. Reverend Manning asked the Commission to deny the request.

Ms. Pate reappeared and argued that the City of Canton is overburdened and that the infrastructure has not been updated. Ms. Pate cited to a recent rate increase by Canton Municipal Utilities and that there had to be improvements and you could smell sewage. Ms. Pate further cited to water usage and additional rates. Ms. Pate argued that you can't pile on to existing problems, and questioned where all the garbage is going to go. Ms. Pate further argued against environmental injustice due to continued clearing of land.

Jeanette Whisenton of 1064 Old Jackson Road appeared in opposition and advised that she had lived in this area all of her life. Ms. Whisenton argued against loss of local tax revenue. Ms. Whisenton argued that most of the residents of the area are now renting, and therefore do not pay taxes. Ms. Whisenton argued that commuters do not pay property taxes. Ms. Whisenton argued that the last census shows that Canton has a population of 10,777 and the average income range

was \$34,812.00. Ms. Whisenton argued that people rent houses based on their income and that their monthly salaries are sometimes not enough to purchase a home. Ms. Whisenton stated that the Canton Police Department was constructed in 1908, and the Sheriff's Department was constructed in 1991, with the annex built in 2002. Ms. Whisenton argued that there are four (4) fire departments being built in 1973, 1961, 1985, and 2003. Ms. Whisenton argued that there are only 47 fire department employees to serve the citizens of Canton, and that when she went to the fire station, it was closed.

Ms. Whisenton inquired of the Commission as to whether they had viewed the property. The Commissioners advised that they were familiar with the property.

Natilyn Morris appeared and stated that she grew up on A.L. Caldwell Road, and that she did not believe the Commission cared about the people that live in the area and that everything was about money. The Commissioners all stated that they fully understood the issues and were very familiar with the area and the request. Ms. Morris argued that she is a real estate broker and that property values would go down if the application was approved. Chairman Rouser retorted that the Commission has certain guidelines that it goes by, and that it has to protect the citizens as well as the developers of property, and that the only thing currently before the Commission is a re-zoning.

Rochelle Thompson of 323 Hawkins-Thompson Lane appeared in opposition and questioned the previous opposition from Panther Creek. Reverend Manning took the podium, and explained his understanding of the reason as to why Panther Creek was not present. Ms. Thompson addressed berms and that it will not reduce noise or other problems as an industry recently built near her house, and their lights shine into her house.

Mr. Jernigan responded that those in opposition, through their arguments, have actually created a list of changes in the area. Mr. Jernigan advised that all of the concerns raised by those in opposition will have to be addressed at the site plan phase of any development or construction on the Subject Property. Mr. Jernigan reiterated that MCEDA had met all of the legal criteria for re-zoning, and that emotional arguments are not the basis for objections to rezoning to be sustained. Mr. Jernigan asked the Commission to approve the application.

Mr. Manning reappeared and argued that while the Commission must make economic decisions, it cannot take out the component of people, and that if the application is approved, it leaves those in opposition with no recourse but to accept whatever happens because the proposed covenants leave those in opposition with no recourse. .

In response to comment and question from Commissioner Myers, Attorney Clark advised that, in considering the application, the Commission could approve or deny it outright, or approve with conditions, for example, increased setbacks, a vegetative berm, certain covenants and restrictions, etc, and that if the re-zoning is approved with those conditions, then those conditions become a part of the zoning and are applicable and enforceable. As to covenants, Attorney Clark advised that, in general, the County does not enforce covenants because those are private contracts between landowners and users of the property. However, Attorney Clark explained that he had reviewed the proposed covenants, and they do specifically give the County the right to enforce

them, and that the County does enforce covenants to the extent that they become a part of the zoning. Attorney Clark further noted that he had reviewed the proposed covenants and they did run with the land, and state that they shall not be changed, amended, or terminated without the consent of no less than 60% of fee owners of real property located within 1000 feet of the Subject Property in all directions—which would encompass those owners in opposition. Attorney Clark further reiterated that the covenants would be enforceable by the County and/or the owners of at least 1/3 of real property located within 1000 feet of the Subject Property in all directions.

Joey Deason, Executive Director of MCEDA appeared and confirmed that the proposed covenants are a part of the application, and that he had met with those in opposition, and there was nothing further that was agreed on. Mr. Deason further reminded the Commission, and those in opposition, that +/-180-200 acres immediately adjacent to the properties of those in opposition was just re-zoned to Heavy Industrial (I-2) with no restrictions, whatsoever. Mr. Deason further argued that with the restrictions in the application, MCEDA had essentially restricted the proposed zoning down to a Technical Industrial Park (TIP) in that every manufacturer will be self-enclosed and that all state, federal, and local laws will be followed.

In response to question from Commissioner Sumerall, Attorney Clark confirmed that the December 2019 Zoning Ordinance is the ordinance that the application was submitted under, and governs the application.

In response to question from Commissioner McCarty, Attorney Clark clarified that MCEDA originally sought to re-zone +/-650 acres on both sides of Calhoun Station Parkway, has a contract to purchase +/-359 acres on the east side of Calhoun Station Parkway (Subject Property), and an option to purchase the remaining portion on the west side of Calhoun Station Parkway. MCEDA removed the portion of property on the west side of Calhoun Station Parkway from its original application because the current owner of the Subject Property would not allow MCEDA to place restrictions such as the proposed covenants and buffer on the portion of the property that it is not currently purchasing.

Mr. Deason addressed the allegations that he has stated that there is no more available I-2 property in the area, and the fact that there is currently available I-2 property for sale to the north of the Megasite and stated that the further north you go, the less infrastructure there is to support development of those properties. Mr. Deason stated that the Subject Property is bound by a four lane road, a three lane road, and water, sewer and electricity with a traffic signal already exists.

Joe Hardy appeared and advised that he and his family own properties on the corner of Virillia Road and Old Yazoo City Road near the Canton School of Arts and Sciences, and that they are currently placing infrastructure near his property. As such, Mr. Hardy opined that there are plenty of available properties to the north of the Subject Property. Mr. Deason responded that those properties have wetland issues and are not readily available to develop, and that there are numerous reasons MCEDA had chosen the Subject Property due to speed to market and cost efficiency.

Upon motion by Commissioner Sumerall to deny the Amended Application of MCEDA to re-zone certain property from its current designation of (A-1) Agricultural District to (I-2) Heavy

Industrial District and for Variance to Maximum Building Height in (I-2) Heavy Industrial District, seconded by Commissioner Brown, with all voting “aye,” the motion to deny the Amended Application of MCEDA to re-zone certain property from its current designation of (A-1) Agricultural District to (I-2) Heavy Industrial District and for Variance to Maximum Building Height in (I-2) Heavy Industrial District was denied.

There next came on for consideration, the Application of Woodgate for a variance to side setbacks from ten (10) feet to seven (7) feet. The Subject Property is Woodgate 1A, Lots 36-42, 77-79, and Woodgate 1B, Lots 1-35, and is in Supervisor District 5.

Phil Lafferty, City Manager for D.R. Horton in the Jackson metro area appeared on behalf of the Applicant. Mr. Lafferty advised that they are seeking a variance to side setbacks on the listed lots in order to add some house plans that have been selling in the area to include courtyard entry and wider plans to increase square footage without encroaching on rear set backs. Mr. Lafferty explained that this is an opportunity to increase house size while still keeping an affordable price, and separate them from competing homebuilders that are building +/-2000 sf. homes, whereas D.R. Horton is having more success in the +/-2400-2800 sf range.

In response to question from Commissioner McCarty, Mr. Lafferty explained that the current lots are 75’ wide with a 10’ side setback, so the builder is limited to a house that is 55’ wide. Mr. Lafferty explained that he has +/-5 house plans that he would like to incorporate into their houses that are 60’ wide. With the requested variance, he could increase the size of the houses he is building, and add in some courtyard entry plans that are very popular in the area. Mr. Lafferty further advised that he currently has three (3) closed sales of 2000, 2300, and 2800 sf, and three (3) that are sold, but are under construction, and two (2) of those are 2800 sf, and one (1) is 2400 sf. Mr. Lafferty explained that he is currently making the houses work with three (3) car, front entry garages, but wants some flexibility to add additional plans.

In response to question from Commissioner McCarty, Mr. Weeks opined that this is generally seen in the instance of a Planned Unit Residential Development (PURD) where you don’t have setbacks, and only density calculations. Commissioner McCarty pointed out that three (3) of the subject lots are corner lots, and that the front of those lots is determined by where the front door is located, and the side setback must be 2/3 of the front setback—which would be 20’. Commissioner McCarty further opined that once you grant a variance to a rule, you set precedent and effectively destroy the rule.

Upon motion by Commissioner Myers to approve the Application of Woodgate for a variance to side setbacks from ten (10) feet to seven (7) feet on Woodgate 1A, Lots 36-42, 77-79, and Woodgate 1B, Lots 1-35, except for the street side of Lots 36, 77 and 82, which are corner lots and shall be at least 20’, seconded by Commissioner Sumerall, the motion to approve the Application of Woodgate for a variance to side setbacks from ten (10) feet to seven (7) feet on Woodgate 1A, Lots 36-42, 77-79, and Woodgate 1B, Lots 1-35, except for the street side of Lots 36, 77 and 82, which are corner lots and shall be at least 20’ was approved with the vote on the matter as follows:

Chairman Rouser	“Aye,”
Commissioner Brown	“Aye,”
Commissioner McCarty	“Nay,”
Commissioner Myers	“Aye,”
Commissioner Sumerall	“Aye.”

There next came on for consideration, a Zoning Ordinance Amendment from the Zoning Administrator as to Article XXV: Heavy Industrial District (I-2); Section 2503.01. Administrator Weeks advised that the current language of Section 2503.01 of the Ordinance reads: “Maximum Building Height: No structure shall exceed forty (4) feet or three stories in height.” Mr. Weeks proposed that Section 2503.01 should be amended to read: “Maximum Building Height: To be determined by site plan.”

In response to question from Commissioner Sumerall, Attorney Clark advised that he and Mr. Weeks have been considering and discussing this proposed change for approximately a year, and propose that the maximum building height in any Heavy Industrial District (I-2) should be determined on a case by case analysis and according to site plan Mr. Clark advised that if there is any maximum height set, and an applicant wished to exceed that height, a variance would still be required.

Upon motion by Commissioner Sumerall that Section 2503.01 be amended to reflect a Maximum Building Height of eighty (80) feet in a Heavy Industrial District (I-2), seconded by Commissioner Myers, with all voting “aye,” the motion to amend Section 2503.01 to reflect a Maximum Building Height of eighty (80) feet in a Heavy Industrial District (I-2), was approved.

There next came on for consideration, the need to close the public hearing. Upon motion by Commissioner Sumerall to close the public hearing, seconded by Commissioner Myers, with all voting “aye,” the public hearing was so closed.

There next came on for consideration, the site plan of MMC Materials for a training center. The subject property is on Nissan Drive and is in Supervisor District 2. Jason Buckley of JBHM Architects appeared on behalf of the Applicant and advised they were seeking to build a new +/- 9000 sf. training facility with +/-50 seats and a pull through garage for a training simulator for concrete truck drivers. Mr. Buckley advised that they were disturbing +/-4 acres of property and would have +/- 41 parking spaces.

Upon motion by Commissioner Sumerall to approve the site plan of MMC Materials for a training center, seconded by Commissioner Brown, with all voting “aye,” the site plan for MMC Materials for a training center was approved.

There next came on for discussion, the setting of the February 2026 meeting. February 12, 2026, was suggested. Upon motion by Commissioner Sumerall, seconded by Commissioner Myers, with all voting “aye,” the motion to set the February 2026 meeting for February 12, 2026, was approved.

With there being no further business, the January 8, 2026, meeting of the Madison County Planning and Zoning Commission was adjourned.

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Date

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Dr. Keith Rouser, Chairman